

REMARKS

This is intended as a full and complete response to the Office Action dated April 10, 2007, having a shortened statutory period for response set to expire on July 10, 2007. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the paragraphs [0031], [0033]-[0035] and [0038] have been amended to correct minor editorial problems.

Claims 1-28 are pending in the application. Claims 29-40 remain pending following entry of this response. Claims 1-28 have been canceled. New claims 29-40 have been added to recite aspects of the invention. Applicants submit that the amendments and new claims do not introduce new matter.

Claim Rejections - 35 U.S.C. § 112

Claims 6, 8, 12, 14, 16, 22 and 24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 10, 18, 21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 8, 12, 14, 16, 22 and 24 have been canceled. However, the Applicants respectfully note that the canceled claims 6, 8, 12, 14, 16, 22 and 24 were adequately described in the specification. Specifically, claim 6 is described in paragraph 0013; claim 8 is described in paragraphs 0009 and 0031; claim 12 is described in paragraph 0009; claim 14 is described in paragraph 0013; claim 16 is described in paragraphs 0009 and 00031; claim 22 is described in paragraphs 0009, 0013, and 0031; and claim 24 is described in paragraphs 0009 and 0014. Claims 12, 22 and 24 have been recast as new claims 31, 37 and 34, respectively.

Claims 18, 21 and 23 have been canceled, but the issues noted by the Examiner have been corrected and incorporated into new claims 33-38 replacing the canceled claims 18, 21 and 23.

Claims 10 and 23 have been canceled, but the but the issues noted by the Examiner have been corrected and incorporated into new claims 29 and 33 replacing the canceled claims 10 and 23.

Claim Rejections - 35 U.S.C. § 103

Claims 1-5, 8-13, 16-21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Abrams et al.* (U.S. Publication 2002/0166117, hereinafter, "*Abrams*") in view of *Steele et al.* (U.S. Publication 2004/0174823, hereinafter, "*Steele*"), respectively. Claims 6-7, 14-15, 22 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Abrams* in view of *Steele* as applied to claims 1 and 10 above, and further in view of *Galindo-Legaria et al.* (U.S. Publication 2006/0020573, hereinafter, "*Galindo-Legaria*").

Applicants respectfully traverse these rejections.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria.

The Examiner maintains that *Abrams* teaches "if an amount of time needed to perform the request is less than the maximum acceptable time to complete the request defined by the completion time criterion delaying returning the results to the requesting entity for a period of time; after a lapse of the period of time, returning the results to the

requesting entity” at paragraphs 0112-0113. Applicants respectfully note that *Abrams* only teaches prioritizing incoming requests, not explicitly delaying a completed request. Applicants have emphasized this point in the new claims. Thus, *Abrams* does not teach all of the claimed elements. It follows that the combination of *Abrams* and *Steele* also does not teach all of the claimed elements.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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